

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 16-

AN ORDINANCE AMENDING THE TIGARD MUNICIPAL CODE TO PROHIBIT
SMOKING WITHIN FIFTY FEET OF A CITY OWNED BUILDING

WHEREAS, the Tigard City Council has general supervision, management, and control of all City property; and

WHEREAS, smoking near building entrances, air intakes, and gathering areas near buildings negatively affects the public health; and

WHEREAS, state law prohibits smoking within 10 feet of all entrances, exits, windows that open, and air intakes on all public places or places of employment; and

WHEREAS, City Council wishes to expand the state law and prohibit smoking within 50 feet of all City-owned buildings or to the boundary of the City property, whichever is nearer; and

WHEREAS, City Council believes it is appropriate to phase-in the penalties imposed for violation of this ordinance in order to allow for greater community outreach.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: Section 7.82 of the Tigard Municipal Code is hereby created, as provided in Exhibit A.

SECTION 2: Section 7.82.040 shall be effective July 1, 2016.

SECTION 3: All remaining provisions in this ordinance shall be effective 30 days after its passage by the council, signature by the mayor, and posting by the city recorder.

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

PASSED: By _____ vote of all council members present after being read by number and title only, this _____ day of _____, 2016.

Carol A. Krager, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2016.

John L. Cook, Mayor

Approved as to form:

City Attorney

Date

Ordinance No. _____